UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

MATTHEW ORSO AS SUCCESSOR
TRUSTEE TO KENNETH D. BELL IN
HIS CAPACITY AS COURT-APPOINTED
RECEIVER FOR REX VENTURE
GROUP, LLC,

      Plaintiff,

v.   Case No. 8:21-mc-00008-MSS-AEP

AMERICO VARGAS,

      Defendant.

_____/

ORDER

This matter comes before the Court on Plaintiff's Motion for Writ of Garnishment (Doc. 24). A judgment in the amount of $46,815.71 was entered in the action between the parties on August 14, 2017 in the District Court for the Western District of North Carolina, Charlotte Division, which was subsequently registered in the District Court for the Middle District of Florida on January 20, 2021 (Doc. 1). *See* 28 U.S.C. § 1963. According to Plaintiff, the judgment, plus post-judgment interest, remains unsatisfied. Plaintiff believes that Defendant may have tangible or intangible property in the possession or control of the Garnishee Wells Fargo Bank, N.A. and, by the instant motion, now requests that the Court issue a writ of garnishment directed to Garnishee Wells Fargo Bank, N.A. to recover on the outstanding judgment.

Pursuant to Rule 69, Federal Rules of Civil Procedure, the Court must follow state law regarding execution of a judgment. Florida Statutes § 77.01 *et seq.* allows recovery of a money judgment via a writ of garnishment. Thus, the Court may enforce the judgment through a writ of garnishment pursuant to Florida law. Upon consideration, the Court finds good cause to grant the Motion. Accordingly, it is hereby

ORDERED:

1.   Plaintiff's Motion for Writ of Garnishment (Doc. 24) is GRANTED.

2.   The Clerk is directed to issue a Writ of Garnishment upon the Garnishee Wells Fargo Bank, N.A.

3.   As Defendant Americo Vargas is an individual, the Clerk is hereby directed to attach the required notice to Defendant Americo Vargas pursuant to Florida Statutes § 77.041(1) to the writ of garnishment.

DONE AND ORDERED in Tampa, Florida, on this 19th day of April, 2022.

ANTHONY E. PORCELLI
United States Magistrate Judge

cc: Counsel of Record